App F 124

1927-8

File No 150-27

Previous References (mc)

Serial Nos 1,2,3,4 5,6,7 & 8

Later References

Serial Nos Engl-

Part B for May 1928

SUBJECT

Of certain powers to Municipal Council under Section 149 of the Municipal Regulation of 1906, to undertake improvement Schemes for sanitation of buildings

To The Deputy Commissioner Chital Dwg L 7060 Dt 8-5-1928

Regrets that the recommendation referred above cannot be sanctioned and invites attention to Govt no 5426-50/mc 275 27-1 Dt 10 Oct 1928 issuing instructions in regard to action to be taken in towns & rural areas in respect of sanitary regulation of buildings

Rus 5/28

App. F, III—2]

General and Revenue Secretariat.

File No 150 of 1927

Serial No.	
	Letter no H6 C 267/27-28 dated 16 9 27 from the D-C Chitaldrug, requesting that the special powers contemplated under Section 1219 cl(2) of the Mysore Regln of 1906 may be conferred on the Mysore Town Davangere in view of the improvement to be undertaken towards the sanitation of the buildings
	1) Submitted for perusal & orders
	2) The enclosure to the D-C explains the necessity.
	3) Has the power been given in any other municipality? Is there no provision in the building bylaws of the town? (The conditions subject to which the power may be given also may be given)
	4) The building bye laws of Davangere Town Mcty is not available and the same may be obtained from Davangere Mcty
	5) Draft, with reference to para 4 is submitted for approval

Note—Contn sheet.

WD Sec: -GPB-60,6-28 5-27

App. F III—2]

General and Revenue Secretariat. File No 150 of 1927.

Serial No.	
2	Letter no 2706 mil 150-27-2 dated 16 11 27 to the D-C Chitaldrug requesting that a copy of the bye laws of Buildings in Davangere only may be sent to this office for reference
3	Letter no He C 267/27-28 dated 24 12 27 from the D-C Chitaldrug forwarding a copy of the building bye-laws of the Davangere only as requested. 6) The provision in the building bye-laws of the only would be sufficient to safeguard the sanitary conditions of the buildings if they are properly used 7) Further powers do not seem necessary Submitted for perusal & orders 13/12/27 8) The building bye-laws of Davangere only may be relaxed if the Council in accordance with the Standard & up-to-date bye-laws of other cities Then there will be no necessity for special powers now asked 6/1/28

Note—Contn. sheet

General and Revenue Secretariat. File No. 150 of 192

Serial No.

The provisions pertaining to [illegible] do not seem to have been made applicable either to Bangalore or Mysore; if need be the opinion of the Advocate General may be consulted. Clauses (1) (2) (3) (4) (5) (6) (7) relate to the framing of the bye-laws in regard to buildings. The bye-laws seem to pertain to what is to be done or being done. It is doubtful if bye-laws could be framed so as to authorise the removal of buildings long existing. Legal opinion may if necessary be consulted

10) For removal of objectionable buildings in ordinary cases eight days are granted to but this means cost.

If the application by the Secretary is considered necessary it would perhaps be well to take the opinion of the Law Officer as it is the Govt that has to appear in the matter

Notes—Contin. sheet

Serial No

(11) The President of the Davanagere Municipality has reported that building in the Municipal area has in the past gone on very irregularly, that sites have been parcelled out and more than one building put up on each site in several cases and sheds and insanitary buildings erected --- indiscriminately in the heart of the town and in the extensions He requests that the Municipal Council might be empowered to take action against such buildings under section 149 (2) and to require owners to pull down such buildings or take other action and on their failing to do so, to take -- action themselves, and to prohibit buildings --- which might result in bad sanitation &c.,

(12) The Deputy Commissioner says that the conditions prescribed in Section 149 (1) to justify powers under sub-section (2) being conferred -- exist in this case and recommends the grant of the powers // A copy of the building bye-laws of the Municipality was obtained to see if no provision made in them could be applied in the cases --- referred to From the copy of the bye-laws -- received, it appears that there is no provision in them which would cover the action that might have to be taken in the case of structures already put up // The power asked for by the Municipal Council and recommended by the Deputy Commissioner

Note—Contn. sheet

3948/27 2656

Agt. F III—21

General and Revenue Secretariat — File No 150 of 1927

Serial No.

- 2 -

may, therefore, be sanctioned

13) Draft, accordingly submitted for favour of opinion if the form of draft proposed is in order

mw 18/1/27

Legal Remembrancer)

14) Draft seen by the all rights

Govt Law Asst Compts

6542/11/27

Legal Remembrancer)

15) There are very few points Please note in detail what has been done or proposed for the future, and what additional precautions are proposed to prevent abuse

lee 1/2/27

16) Information regarding the clause as now available here, the President City Municipal Council Bangalore / Mysore may perhaps be requested to inform this office about the special powers granted to them respecting milk in the matter

17) Draft submitted for approval.

18) Draft.

Govt. Central Press—No. 2—Contd. sheet.

GPS—20,000—24-5-26

App. F XII—2]

General and Revenue Secretariat

File No 190 of 1927

Serial No.

5 CT 16 63 & 7/8/28 from the Pres Mysore city- Mc Cl.
Reports that the Mysore city Mc Cl exercises no Sp Mc powers under Sec 149 of the Mc Regn

19) Subs- The Davangere Mc Cl requests powers under Sec Mcg of the Mc Regn on the following grounds —
1) The persons to whom sites have been allotted are in the habit of parcelling them out to others although it was given to them as units for building houses. — this
2) This could have been avoided if the offices of the Mc Cl had exercised sufficient care in issuing licences and for house building & enforced the provisions of the Building Bye laws.
2) They have constructed ins unauthy shelly sheds thereon
3) The grantees of such sites have alienated them unauthorisedly parcelling them previously
All these could have been avoided if the Building Bye laws of the Council were rigorously enforced —
20) Failure to enforce the existing

NOTE—Contn. sheet.

WD 6281—GPB—60,000—24-5-27

45764

App F III—2]

General and Revenue Secretariat — Gul File No 1350 of 1927.

Serial No.	
	provisions in the Byelaws should not perhaps be urged as a reason for investing the Mul. Cl. with powers ~~Exercised~~ by the Mysore city Mul. Cl. — Reply to be got from the Bangalore city Municipality as to whether it exercise any powers under Sec. 149 of the Regn. Act.
	Lett 7/5/28 Rcd.
	Subd with a draft reminder Lett 24 Rcd 24.
6	Issued vide 6268 to 94 25/5 the commr Bangalore city municipality
	From The Municipal Commissioner, Bangalore city
7	Letter no A1 1052/27-28 dated 29 M.28 informing that no special powers as contemplated in section 149 of the Mul Regn have been conferred on the City Mul Council

NOTE—Contn. sheet.

App. F III—2]

General and Revenue Secretariat. | File No 197 of 1927

Serial No

Information has been received from the City Mal Councils Bangalore & Mysore in regard to the Special powers under section 149 of the respn (Ref to the Members' order in para 15 of the notes)

No Special powers as contemplated in Sect 149 have been given to the the Chairmen of the City Councils

The Mal Commissioner Bangalore City informs that the bye-laws were recently revised & they will be given effect early

The file to be 25-153 b put up

29/4/28 x6

Grant of special powers to the Darrangee Mundl under Sect 145 (2) of the Mund Regulation

In para 15 of the note, the Member has called for a note as to whether such powers have been given to the Darg of Mysore City—the Councils & what precautions are necessary to prevent abuse

No such powers as is contemplated under Sect 145(2) has been granted to the Darg of Mysore City—Mund Cl They are very

NOTE—Contn sheet.

App. F III—2]

'General and Revenue Secretariat. File No 170 of 192

Serial No

only powers under the Municipal Building bylaws

The D.C. with therefore be informed that the recommendations must be sanctioned and the Municipal Council should enforce the bylaws ~~[illegible]~~ or if any have been framed or take steps to frame bylaws on the lines of those enacted by the Municipal Council

The Executive Engineer has been asked for his report in regard to action which may be taken by them in regard to the application of regulations of building. The Municipal Members may be invited to this also for the Collector's opinion as regards action on report thereon.

1st Member 2/5

2/5

Secy:

2/5

draft is accordingly submitted for kind approval

Chief Engineer's remarks

8/5/25

Typed draft 8/5

Notes—Contn. sheet

WD 6331—6PB—10,000—8-'25

L.P. 125

L 1251 5218 L

App. F, III—2

General and Revenue Secretariat. | File No 130 of 1927

Serial No.

Comm No 575

To

The D-C Chitaldrug letter no L 7066 Mel 150 - 27 - 8 dated 8 5 28 informing that the "Special powers contemplated in Section 169 of the Mel Reg by the Drainage Authority for removing Congestion & improving the Sanitation of the town, cannot be granted & that Authy has obvious other provisions & thereby reference to the orders issued in this respect recently

B

NOTE—Contin. sheet.

WD 6281—GPB—60,000—24-5-27

Pol Affrs —D pco
CHITALDRUG

I reply please refer to
N A-6.C.267/27-28
Enclosure two

OFFICE OF THE DEPUTY COMMISSIONER
CHITALDRUG DISTRICT

Dated Chitaldrug 16th September 1927

1319

19 SEP 1927

FROM

The *Deputy Commissioner*
Chitaldrug District

To

The General Secretary to Government,
B a n g a l o r e

Sir,

In continuation of my letter No A-6 C 267/27-28 dated 30th August 1927 reporting the action taken in the matter of regulating the buildings in the Davangere town, I have the honor to state that the President of the Municipality reports in his letter No 34 dated 12th September 1927 (copy enclosed) that after he urged the matter before them several times the Municipal Council have at last realised the importance and necessity of improving the sanitary condition of the buildings constructed in the town and its extensions and resolved at their meeting held on 24th August 1927 that the Government be requested to confer upon them the special powers contemplated under section 149(2) of the Municipal Regulation of 1906 (vide copy of the resolution enclosed) Under the circumstances reported by the President, I request that the Government may kindly confer the said powers on the council and cause the same to be notified in the Gazette

I have the honor to be,

S I R,

Your most obedient servant,

Deputy Commissioner,
Chitaldrug District

Letter No.34 dated 12-9-1927 from the President, Davangere Municipality to the Deputy Commissioner, Chitaldrug

I have the honor to state that in this municipal town area, there being a great demand for houses the owners of sites are in the habit of parcelling out sites originally given as units to build single houses into two or more sites and construct insanitary buildings and ugly sheds thereon indiscriminately both in the heart of the town and in the extensions. They have also sold many of these bits of lands to others. As a result thereof many small insanitary houses without any convenience for conservancy arrangements and ugly sheds have sprung up all over the town and many localities have become so congested as not to allow sufficient facilities for the proper conservancy of the place. In fact they contain all the defects contemplated in clause (1) of section 149 of the Municipal Regulation. To prevent all such things in future and to improve the existing ones, I think the Municipal Council should have the special powers mentioned in sub section (2) of the section 149 of the Municipal Regulation. The Municipal Council before whom the subject was placed have at last agreed with my view after great deliberation and have resolved in their meeting held on the 24th August 1927, the powers referred to in sub section (2) of section 149 were quite necessary and that the Government be requested to kindly confer the same on the council. Copy of the resolution is enclosed for ready reference.

I therefore request you to be so good as to address the Government to kindly confer the said powers on the council and to notify the same in the Gazette.

"COPY."

Deputy Commissioner,
Chitaldrug District.

Proceedings of the Ordinary adjourned meeting of the Davangere Town Municipal Council held on 24-8-1927

PRESIDENT

Syed Abdul Khalak, Esqr, Sub-Division Officer, Davangere Present

X X X X X X X

ident's proposal suggesting that Government may be requested to confer the Council the special powers tioned in sub-section (2) of Sec of the Municipal Regulation

Resolution

Resolved that Government be requested to confer these powers on this Council as they are quite necessary

Sd/ S Abdul Khalak,
PRESIDENT
Davangere Municipality

for PRESIDENT
Davangere Municipality

APP F VI Gl]

SUBJECT

Section and

File No 150 - 27

Serial No 2

Diary No of letter replied to

No L2706

General and Revenue Secretariat

( )

the 192

To The D C Chitaldrug

Date of issue 16-11-27

Sir, With reference to your lett no A6 C 267/27-28 dated 16 9 requesting that special powers contemplated under Sect 149 cl(2) of the Mysore Municipal Regul I. VII of 1906, may be conferred on the Md Council Davangere I am directed to request you to be so good as to forward a copy of the building bye of the Md Cl Davangere for reference I have etc

Signed by Asst to Dy Secy

List of enclosures

Copied by

Examined by

12/11/27

over for Secy/Dy/Asst

WD 0562 CPB—31 000—17 8 25

5

Tel Address —Deputy
CHITALDRUG

In reply plea refer t
A-6 C 267/27-28
Enclosures

OFFICE OF THE DEPUTY COMMISSIO
CHITALDRUG DISTRICT

Date Chitaldrug 4th December [redacted] 27

DN 2656 dt 6-12-27

FROM

The Deputy Commissioner
Chitaldrug District

The General Secretary to Government,
Bangalore

Rev 150-27-3

Sir,

As called for in your letter No L 2706/M1 150-27-2 dated 16th November 1927, I have the honor to forward herewith a copy of the building byelaws of the Davangere Town Municipal Council, sanctioned by Government in their order No 5601/M1 69-13-27 dated 24th November 1913 and to request that early orders of Government may kindly be obtained in the matter of conferring special powers on the Municipal council under section 149(2) of the Municipal Regulation as requested in my letter No A-6 C 267/27-28 dated 16 September 1927

I have the honor to be,

SIR,

Your most obedient servant,

Try Assistant Commissioner
For Deputy Commissioner,
Chitaldrug District
(Absent from station)

CHITALDRUG DISTRICT

Rules regulating the conduct of business and Proceedings at the Meetings of the Municipal Council of Davanagere, sanctioned by Government in their Order No. 5601-Mi. 69-13-27 dated 24th November 1913.

Meetings where to be held. The meetings of the Municipal councillors shall, except for reasons to be specified in the notice convening the meeting, be held at the (1) Municipal Office building. The ordinary general meetings shall be held on (2) the 3rd Wednesday of every month or if such last day happens to be a general holiday, then the previous day on which the office will be open or at any convenient time and place mentioned in the notice.

2. (a) At the hour fixed for the meeting of the councillors, if a *quorum* be present the business of the meeting may at once commence, and if neither the President nor the Vice-President be present, the councillors may proceed at once to choose a presiding councillor under Sec. 26 (5). If the President or the Vice-President arrives after a presiding councillor has been chosen by the Councillors, the presiding councillor shall leave the chair and the President or Vice-President shall preside.

Absence of quorum at hour fixed for Meeting

(b) If at the hour fixed for the meeting a *quorum* be not present the presiding authority shall allow 15 minutes to elapse before he adjourns the meeting and if 15 minutes from the hour fixed for the meeting elapse without the assembling of a *quorum*, the meeting shall stand adjourned to that day week at the same time and place.

(c) If after the commencement of business the presiding authority notices that a *quorum* is not present or any councillor calls the attention of the presiding authority to the fact that a *quorum* is not present the presiding authority shall immediately suspend business and shall count the number of councillors present and if that number be insufficient to form a *quorum* the presiding authority shall adjourn the meeting

Amendment of Minutes 3 If any councillor present objects to the Minutes as having been incorrectly or incompletely recorded the presiding authority shall after taking the sense of the meeting make such amendments as he think proper and the amended Minutes shall then be confirmed and signed by the presiding authority

Order to be observed 4 A councillor wishing to speak shall rise in his place The councillor who first rises to speak has the right to be heard In cases of doubt the presiding authority shall decide who is entitled to speak No interruption to the speech of a councillor shall be permitted except that the presiding authority may call the councillor to order and any other councillor may rise and request the presiding authority to call the speaker to order or to notice that a *quorum* is not present

4 (a) All questions from one councillor to another relating to the business of the meeting shall be put through the presiding authority

Order 5 The presiding authority shall preserve order and all points of order shall be summarily decided by him no discussion being thereon allowed unless be

shall think fit to take the opinion of th councillors present The presiding authority may adjourn any meeting that refuses to obey his ruling on a point of order

Councillor called to order to resume his seat

5 (a) A councillor called to order by the presi ding authority shall resume his seat till the decision of the point of order raised Provided that the presiding authority may allow the member to speak on the point of order raised If any councillor desires to dispute the decision of the presiding authority he may bring forward a proposition at the following meeting

6 *Priority may be given to any item of business* The order in which any business that may be transacted or any proposition that may be discussed at any meeting or shall be brought forwarded at such meeting shall be determined by the presiding authority who, in case it is proposed by any member to give priority to any particular item of business or to any particular proposition shall put the proposal to the meeting and be guided by the majority of votes given for or against the proposal

7 *Items of business may be grouped* If more than one meeting be held the same day it shall be competent to the presiding authority with the consent of the majority of councillors present to submit for consideration as one subject for disposal by one meeting any two or more items of business relating to the same subject although (some of such items) shall appear on the agenda papers of another and distinct meeting to be held on the same day

8 *A proposition may be divided* The Presiding authority shall have the power to divide into two or more distinct propositions any proposition or amendment which in his opinion is so complicated as to be likely to lead to confusion or inconvenience by being debated on as one proposition

A proposition when divided need not be moved and seconded more than once But when by virtue of this rule a proposition or amedment is divided it shall not be necessary unless the presiding authority decides to the contrary for the second and following portions of such proposition or amendment to be again separately moved and seconded But the proposition so divided shall be put to the vote by the presiding authority one after another

9 *Motion to be relevant to subject before meeting* Each Councillor rising to speak shall direct his speech to the question before the meeting or an amendment which he is himself about to propose or to a point of order always addressing the presiding authority from his place A councillor having spoken to a proposition or amendment is not at liberty to speak again to such proposition or amendment

Provided that the mover of a proposition or amendment shall have a right of reply after the presiding authority has ascertained that no other councillor entitled to speak desires to speak

Provided also that any councillor may second a proposition or amendment by saying I second the proposition or Amendment and may reserve his right to speak later

Provided also that a councillor who wishes to explain any misconception of expressions used by him may do so with the permission of the presiding authority

10 *Routine resolutions be put to meeting without being moved or seconded* Routine resolutions such as regarding periodical statements or confirming the proceedings of a Committee may be put to the meeting by the presiding authority without their having been moved or seconded Proposition regarding the choice of presiding councillor adjournments and the like must be seconded but need not be in writing

Every other proposition and amendment to be in writing and to be seconded Except as provided as above every proposition or amendment must be in writing and seconded

Resolutions of Committees to be moved and seconded by Members When a resolution of the managing or other committee is submitted to the genera meeting for adoption its adoption should ordinarily be moved and seconded by the members of the Committee

11 *Amendments* After the proposition has been moved and seconded any councillor may propose an amendment thereto

Provided that no councillor shall be at liberty to propose more than one amendment to any proposition except when such proposition is for the passing of a budget or of a set of general rules or is otherwise of such a nature as to require the making of many amendments to different parts of it

12 *Presiding authority to read the proposition to the meeting* The proposer of any amendment shall state it or hand it in writing to the presiding authority at any time before he resumes his seat When the mover of a proposition or amendment has resumed his seat the presiding authority shall read the proposition or amendment to the meeting and if it be seconded by any councillor seconds it and until the proposition or amendment is seconded the presiding authority shall not permit any discussion on the question If no councillor second the proposition or amendment the presiding authority shall declare that the proposition or amendment is lost

13 *Speeches shall be addressed* A councillor shall not read his speech but may refresh his memory from notes and may with the consent of the presiding authority read passages from books documents cited in behalf of his argument

Any Councillor not entitled to object to a proposition

14 If a councillor has given due notice to move a proposition and if that councillor be not present at the meeting or shall have ceased to be a councillor before the meeting or be unwilling to move the proposition of which he has given notice any councillor present at the meeting may with the consent of the presiding authority move the proposition of which notice has been given

Amendments to original proposal and negative of previous propositions

15 An amendment shall usually be in the form of a proposal to omit words from the original proposition to insert words therein or to add words thereto Every amend

ment must be relevant to the proposition it is proposed to amend and must be framed so as to form therewith an intelligible and consistent sentence An amendment which is the direct negative of the proposition shall not be allowed

16 *Amendment may be sent to President before hand in writing* A councillor who intends to propose an amendment to a proposition is at libetty to send or deliver at any time b fore hand to the President or presiding authority his proposed amendment in writing

17 *Order to be observed when there are more amendments than on* After a proposition has been proposed and seconded the propo ed amendment which the President or the Presiding authority has received shall be arranged in the order in which if agreed to each would stand in the amended proposition and if any more proposed amendment are stated or handed to the Presiding authority the shall be in erted in that order and the Presiding authority shall call upon the proposers of amendments in that order to move their amendments

18 *Each amendment to be decided before the next amendment is entered upon* Each amendment must be decided befor the next amendment is ntered upon but after any amendment has been propo ed and seconded any councillor may move that the amendment be amended by the omission insertion or addition of certain words and the presiding authority shall thereupon ask if any other councillor seconds the proposal and if seconded the proposal to amend the amendment shall than ecome the question before the meeting

19 *No amendment to words already resolved be made.*— No amendment may be made to words which have already been resolved shall stand part of or to be added to the original proposition or amendment except by addition of other words

20 *Amendment once negatived not to be proposed* No amendment may be proposed which is the same in substance as a proposition or amendment which has been negatived during the meeting

21 *Proposition or amendment not to be withdrawn* A proposition or amendment which has been moved and seconded cannot be withdrawn without the permission of the meeting

22 *Presiding authority to move proposition without quitting chair* The presiding authority may move and second proposition or amendments speak and vote without vacating the chair

23 *Voting* When a question is put to the vote the presiding authority shall call for a show of hands and the presiding authority or a councillor at his request shall count the hands shown for and against and declare the result If any councillor challenge the correctness of the members thus declared the hands shall be counted a second time Provided that if any two councillors request a poll the presiding authority shall call the roll of the Councillors and record on the minutes of the meeting the names of the councillors voting for and against

The presiding authority unless he refrains from voting should give his vote before declaring the number

of votes for and against a question and then in case of an equality of votes he should give his casting vote

24 *No member obliged to vote* A councillor who is present at a meeting may refrain from voting If the question before the meeting be the confirmation of a report or proceedings of a committee the Member of that committee may vote If the conduct of a councillor be in question that councillor may vote

25 *Result of equality of votes* When there is an equality of votes and the presiding authority refrains from giving his casting vote the proposition shall be held to be neither passed nor rejected and may be brought forward at any subsequent meetin.

26 *Budget Discussion* When a Budget or reappropriation statement is laid before a general meeting the procedure shall be as follows —

(1) The presiding authority shall read each item of the abstracts of receipt and expenditure and shall without any mover or seconder put to the meeting the question that this item stand part of the Budget or reappropriation statement

(2) If any councillor propose to reduce or increase or strike of the item and the proposal be seconded such proposal shall be treated as an amendmeut and shall become the question before the meeting

27 *councillors may resolve into committee at general meeting* At a meeting the councillors may resolve themselves into a committee to consider any subject which is before the meeting In such a Committee a

proposition need not be seconded and a councillor may seek more than once The decision of the committee shall be reported to that or to a subsequent meeting for confirmation

28 *Rough minutes of all Proceedings to be taken down in volume* The rough minute of all proceedings of meetings must be taken down in a bound volume at the time of discussion

29 *Proposal to adjourn or postpone* A proposal to adjourn a meeting or to postpone the consideration or a question shall take precedence of any other question before the meeting

30 *Meetings ordinarily open to the public* All meeting shall be opened to the public provided that the public may be required to withdraw if it should be deemed necessary by the presiding authority that any enquiry or deliberation pending before the Municipal Council should be held in private The presiding authority may at any time cause any person to be removed who interrupts the proceedings

(Sd) I HANUMANTHA RAO
For Deputy Commissioner

Building bye-laws framed by the Municipal Council of Davangere Town under clauses (p) (q) (r) (t) and (u) of Sub section 1 of Section 48 of the Municipal Regulation and sanctioned by Government in their Proceedings No 3176 Ml 69-14 78 Dated 21st October 1914

Structures and Buildings 1 Mode of giving notice of intention to build

Every person intending to erect or re erect any building shall give notice in writing of his intention to the President

1 *Documents to accompany the Notices* Every such person shall submit with such notice as aforesaid a site plan of the land drawn to scale of not less than 50 to 1 showing *(a)* the position of the building and appurtenant out buildings to be erected on the land *(b)* the area to be occupied by the building and out buildings on the land ( ) the names *(if any)* or description of the adjacent roads streets bridges culverts or buildings and *(d)* the number of the plot and the name or number of the block and street or road in which the land is situated

Provided that if the applicant satisfy the President that the building will be less than Rs 500 in value it shall be sufficient for the site plan to show without scale to the satisfaction of the President the size of the building and its position or the land together with the position of the land with reference to the adjacent buildings or lands

11 When the land belongs to the Municipal Council every such person shall submit with such notice as aforesaid a copy of the document authorising him to occupy the land and on the requisition of the President the original document or documents also, if he desired to inspect it or them

111 *(a)* Every such person shall submit with such notice as aforesaid plans sections or elevations in duplicate drawn to a scale of not less than 10 to an inch showing the levels *at which the foundation and the lower floor or plinth are proposed to be laid with reference to the crown level of the adjacent roads or streets and the level of the site* on which the house is to be built

(b) The aforesaid plans and section shall furtheshow the position of the line or the frontage of the proposed building with reference to the back line of the said drain wall or if there is no side drain wall with reference to the central line of the street or road which the building faces Provided that if the applicant satisfies the President that the building will be less than Rs 2 0 in value it will be sufficient to show in writing he levels at which the foundations and the lowest floor are proposed to be laid

1v Every such person shall when required by the President submit with such notice as aforesaid specification of the work intended to be constructed and the materials to be used for the foundation walls and roofs respectively

2 *Level of plinth.* Every person who shall erect a new domestic buildiag shall cause the same to be built

with a plinth not below *such level* as may be fixed by the President or under his authority the Medical Officer or Sanitary Inspector

3 *Plans and other documents to be furnished in duplicate* —Every person who under the provisions of Sections 91—96 of the Municipal Regulation may be required to furnish to the President any plan or other document shall funish duplicate copies of every such plan or document which he may be so called upon to furnish to the President any plan or other document which may be so called upon to furnish and one of such duplicate plans shall be returned to the person signed by the President signifying his approval of the plan or othsrwise

4 *Foundation of walls* —Every person who shall erect a new building shall cause the footings of every wall and every post or posts of the ground floor of such building to rest on the solid ground or upon a sufficient thickness of concrete or upon some solid and sufficient sub structure as a foundation Provided that where solid rock is met with at or near the surface of the site of such buildings *i e* within 3 feet of the level of the base of the wall the footings may be omitted if the surface of the rock be properly cleaned and stepped or jagged to receive the first course of masonry

5 *Ventilation of Rooms* He shall so construct every such room that the same shall be ventilated by means of doors or windows which open directly into the external air and have an aggregate opening equal to not less than one tenth of the floor space or one twelfth of the cubic space of the superficial area of that side of the room which faces an open space

6 *Open space around dwelling houses* Every person who shall erect a new dwelling house shall so construct such dwelling house that the whole or at least one side of every room thereof intended to be inhabited shall either be an external wall abutting on the open air or abut on an interior open space having an area equal to not less than one tenth of the aggregate floor area of all the rooms abutting thereon and being not less than in any direction than 6 cross

He shall provide between at least 2 of the external wall and the boundary line of the owners premises except where either of such walls faces a street of not less than 15 feet in width an open space exceeding throughout the entire length of such wall at least 2 wide He shall cause every interior open space required by this Bye law to be constructed and kept free from any erection thereon and open to the sky and no cornice roof or weather shade shall project or overhang the open space more than 6 on any side thereof provided that such connecting passage may be allowed as to the President shall seem necessary such passages being open on one or more sides

7 *Privy Accommodation* Every person who shall erect a new building shall in connection with such building construct such number of privies as shall be prescribed by the President in each case

8 *Site of Privies* A person who shall construct a new privy whether in connection with a new building or not shall construct such privy upon such site or in such position only as shall be approved by the President

9. *Proximity of privies to Water supply* A person who shall construct a privy in connection with a building shall not without the written permission of the President construct such privy within the distance of 20' from any well spring tank or stream of water used or lv to be used by man for drinking or domestic purposes or for manufacturing drinks for the use of man or otherwise in such a position as to render any such water liable to pollution

10 *Air space round privies* Every person who shall construct a privy in connection with a building shall so construct the same as to have an external air space of not less than 3 feet in width and open to the sky surrounding such privy on every side thereof except the entrance side where any gallery or passage communicating with such privy shall be not less than 2 feet in width and shall be open to the external air on both sides

11 *Ventilation of Privies* Every prrson who shall construct a privy in connection with a building shall provide such privy with a sufficient opening or with sufficient openings for ventilation to the satisfaction of the President and such opening or openings shall be as near to the top as practicable and shall communicate directly with the external air

12 *No room to be erected over a Privy* No person shall construct over a privy whether old or new any room or structure of any description except another privy or a bathing place or bath room

13 (q) *Contravention of bye-laws to be amended* In every case where a person who shall erect a building

shall at any reasonable time during the progress or after completion of the erection of such building receive from the President notice in writing specifying any matters in respect of which the erection of such building may be in contravention of any bye law relating to new buildings and requiring such person within a reasonable time which shall be specified in such notice to cause anything done or omitted to be rectified or done such person shall within the time specified in such notice comply with the several requirements thereof so far as such requirements relate to matters in respect of which the erection of such building may be in contravention of any such bye law

(ii) *Notice of completion of amendments* Such person within a reasonable time after the completion of work which may have been executed in accordance with any such requirement shall deliver or send or cause to be delivered or send to the President at his office notice in writing of the completion of such work

(iii) *Notice of completion of buildings* Every person who shall erect a building shall within one month after the completion of the erection of such building deliver or send or cause to be delivered or send to the President at his office notice in writing of the completion of the erection of such building In the proposed new extention and in all the localities of the town where having regard to attendant circumstances it is possible to do so every new domestic building that it is to be constructed shall be in communication with the external air all round the building

14 ***Penalties*** Every person who shall commit any breach of any of the foregoing bye law shall be punishable with a fine which may extend to Rs 200

15. *Evidence of exercise of duties powers or functions* Whenever under any of the foregoing bye laws the doing or the omitting of doing a thing or the validity of anything depend upon the sanction permission approval order direction requisition notice or satisfaction of the President a written document signed by the President or by any Municipal officer to whom the President may have delegated his powers duties or functions in that behalf purporting to convey or set forth his sanction permission approval order direction requisition notice or satisfaction shall be sufficient *prima facie* evidence of such sanction permission approval order direction requisition notice or satisfaction In all cases in which under these bye laws dimensions are prescribed the President shall have power on application being made to that end to permit of such dimensions being modified

(Sd) B BHIMA RAO
For Deputy Commissioner
Chitaldrug District.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Bangalore Dated 28-2- 1923

No L 5061-62/M1 150-23

From

R RANGA RAO Esq B A B L

General Secretary to the Government of His Highness the Maharaja of Mysore

To

The President, City Municipal Council, Mysore
The Municipal Commissioner, Bangalore City
through the President, City Municipal Council, Bangalore

Sir,

I am directed to request you to be so good as to state whether the Municipal Council has been empowered with special powers contemplated under Section 149 of the Municipal Regulation and what powers the Council has been exercising at present in regard to buildings in the Municipality Copies of Government orders sanctioning the powers in this respect may be forwarded for the information of Government

A very early reply is requested

I have the honour to be

Sir

Your most obedient servant

Sd T K Someswara Iyer

For General Secretary to Government

Fair draft

-7 13-3-28

No C-1463
Enc

OFFICE OF THE PRESIDENT
CITY MUNICIPAL COUNCIL MYSORE

Dated 7th March 1928

FROM

C S KUPPUSWAMIENGAR Esq

President City Municipal Council

MYSORE

To

The General Secretary to the Government of
His Highness the Maharaja of Mysore
BANGALORE

mc 150-27-5

SIR

2656

With reference to your letter No L 5061-62/M1 150-27-4 dated 28th February 1928 I have the honour to state trat no special - powers are given to this Municipality under Section 149 of the Mysore Municipal Regulation

I have the honour to be
Sir
Your most obedient servant

PRESIDENT

GVN

6

A. P. No. VI. 61]

SUBJECT ... .

Section Mel
File No. 150-27-
Serial No. 6
No. L 6268

Diary No. of letter replied to .. ..

General and Revenue Secretariat
( )
the *192*

Date of issue. 9-4-28

Signed by Asst Sec to Govt

To The Commissioner
Bangalore city
Municipality
Through the Secretary to Govt
Bangalore city

Sir

I am directed to
invite reference to this office
letter No 2506-62 & 28/4/28
Mel 150-27-4
enquiring whether the city
Mel Act exercises any powers
under Sec 114 of the Mel Regn
in regard to the buildings
within the Mel area and
to request you to be so

over

List of enclosures. .. ..

Copied by ....

Examined by .. ..

WD 61E—3Pb—61,000—26-6-27

food as to expedite your
help in the matter.

I have the

for [illegible]

[illegible].

52182
20-4-28

B O M C 267/27-2

Office of the Deputy Commissioner,
Chitaldurg District,
Dated Chitaldurg 17th April 28
18

Dear Sir,

In inviting reference to my letters o A6 C 267/ -28 dated 16th September 1927 and 4th Dece ber 27 and subsequent reminders dated 10th January 1928 and 2nd April 1928 in the matter of conferring on the Town unicipal Council Davana e the special powers under section 149 ( ) of the unicipal Regulation VII of 1906, I request t at early action of Government may kindly be obta ne t e President of the above Municipal Council inf r s t it unless the said powers are conferred on t e unicipal Council no further action could be taken to improve t e sanitary condition of the buildings constructed in the Town and its extensions

Yours incerely,

To

R Ranga Rao, Esquire, I A S L,
the General Secretary to Gover t t
Bangalore

Reply from the City Mal council
Bangalore is awaited
Simpreek Pleasework up
24/4/28

No Ml 1052/27-28

CITY MUNICIPAL OFFICE

Bangalore City Dated 20th April 1928

21
5281
21-4-28
me 150-27-7

From

T GOVINDA ROW Esq
MUNICIPAL COMMISSIONER CITY MUNCIPALITY
BANGALORE CITY

To

N MADHAVA RAO, Esq , B A , B L ,
Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
BANGALORE

With reference to the General Secretary's letter No 5061-62/Ml 150-27-4 dated 28-2-1928, calling for a report, as to whether the Municipal Council has been empowered wit special powers contemplated under Section 149 of the Municipal Regulation, etc , I have the honour to state that the the Special powers contemplated under Section 149 of the Municipal Regulation, have not been conferred on the -- Municipal Council

2 As regards the powers which the Council have been exercising at present in regard to buildings, I may invite your kind attention to the Bye-Laws regulating buildings and other structures, printed on pages 67 to 71 of the Bye-Law book These Bye-Laws were subsequently revised and sanctioned in Government order No L1839 /Ml 84-25-153 dated 24-9-1927 The revised ~~orders~~ rules will be given effect to from 1-7-1928 for which necessary action is being taken

I have the honour to be,
Sir,
Your most obedient servant
T Govinda Row
Municipal Commissioner

Forwarded with Compliments.
Mohammed Abdul Hakim
President

PSK.

12

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

GENERAL AND REVENUE SECRETARIAT

No. 5426 50/Mi 275 27 1 Dated Bangalore 10th March 1928

Official Memorandum

In the marginally noted Sections of the Mysore Municipal Regulation Municipal Councils are given power to deal with buildings which are in a ruinous dangerous filthy or dilapidated condition But it is found that little or no advantage is being taken of these provisions as is evident from the fact that even by the side of main roads such buildings are allowed to continue without any steps being taken to remove them Government wish to impress on all Municipal Councils the need for systematic action for the removal or repair of uncared for and dilapidated houses in Municipal areas especially those abutting on the main roads

Sections 92 93 119 and 131

2 It is also necessary in this connection to draw attention to Sections 92 and 93 of the Regulation which empower Municipal Councils to set back or set forward buildings to a regular line By using these powers judiciously and within the limits of their resources and by paying scrupulous attention to the scrutiny of license applications for house building it will be possible for Municipal Councils to improve the alignment of the main streets in towns Government are anxious that no opportunity for such improvement should be neglected

3 In regard to houses in villages the Deputy Commissioners are requested to see that no new houses are allowed to be built too near the main roads and that a margin of at least 50 feet is left between the road and the house In regard to existing properties which are in ruinous dangerous filthy or dilapidated condition steps should be taken either to acquire the same gradually or to put them back allowing a sufficient margin from the road Necessary instructions may be issued to the subordinate authorities to take action on the new lines

The Chief Engineer and Presidents of District Boards as the case may be will arrange for the diversion of the roads themselves if necessary where the cost of such diversion is not excessive

By Order
N MADHAVA RAO
Chief Secretary to Government

To—The Chief Engineer of Mysore
The Deputy Commissioners of Districts
The President of District Boards
The Presidents of City Municipal Councils
The Secretaries to Government

L 40 60 - me 150-27-8 13
To Dr cs-8/28

The Deputy Commissioner,
Chitaldrug District

S i r,

With reference to the correspondence ending with your lrtest reminder No A6 C 267/27-28 dated 18th April 1928 requesting that the special powers contemplated in Section 149 (2) of the Municipal Regulation may be conferred on the Municipal Council, Davangere with a view to remove congestion and to improve the sanitation in the town, I am directed to state that Government regret that the recommendation cannot be sanctioned The Municipal Council should utilise the other provisions in the Regulation relating to buildings, and enforce the bye-laws framed under them or take steps to pass bye-laws on the lines of those enacted by the Bangalore City Municipal Council

In this connection, I am also to invite your attention to the official Memorandum No 5426-50/ml 275-27-1 dated 10th March 1928 issuing instructions in regard to action that may be taken in Town and Rural areas in respect of the sanitation and regularity of buildings

I have, etc ,

For General Secy to Govt

4/5/28